

Southern District of Indiana



Fast Facts

- Field trips are free!
- Meet state and national education standards
- Designed for specific grade levels and abilities
- Include a tour of the historic courthouse
- Meet a judge, whenever possible
- Watch a court proceeding, whenever possible

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Field trips are available at the Birch Bayh Federal Building and United States Courthouse in Indianapolis

Tired of teaching your students about the federal courts out of textbooks? Are your students ready to see a court proceeding for themselves? The United States District Court for the Southern District of Indiana is here to help. The court is proud to offer field trips for grades four through twelve, each specifically designed to meet state standards in social studies, language arts, and more.

Field trips to the federal court are offered free of charge and are available Monday through Friday. Visits typically last two hours and consist of an orientation to the federal court system, a tour of the historic court-

house, observation of a court proceeding, a question and answer session with a judge, and a hands-on activity.*

Possibilities for activities include scripted trials; mock jury selection; becoming an American citizen; identifying court objects; taking a stand on drug testing in schools; and designing a courthouse.

Students learn about the types of cases that are heard in federal court; how one becomes a federal judge; checks and balances on the judicial branch of government; and the structure of the federal court system. This information is presented during the orientation session and also interspersed

throughout the tour.

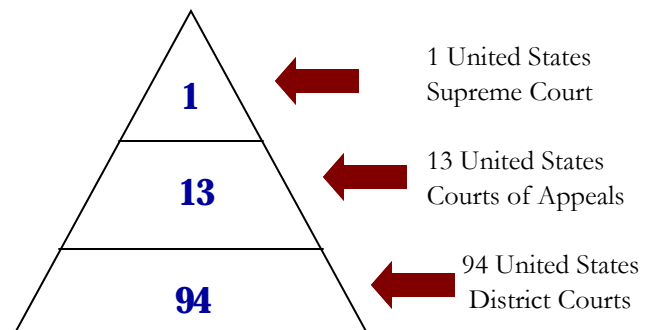
The tour of the courthouse takes students through one of the original courtrooms (dating to 1905), points out artistic and architectural details, and explains the symbolism commonly found in courthouses. Students are encouraged to ask questions about the courthouse structure and are introduced to the use of technology in the courtrooms.

A visit to the federal courthouse in Indianapolis is a memorable experience for teachers and students alike. For further information or to make a reservation, contact Doria Lynch at 317-229-3729 or doria_lynch@insd.uscourts.gov

*Observation of court proceeding and meeting with judge depends on the court's schedule for that day. Schedule subject to change without notice.

The Federal Court Pyramid

The federal courts are arranged in a hierarchical pyramid. The lowest level, district courts, are where trials take place. The second level, courts of appeals, hear cases that have come out of the district courts. The Supreme Court is the highest court in the nation and also hears appeals.



Criminal cases in federal court



At the beginning of a federal criminal case, a United States attorney (the prosecutor) presents evidence to a grand jury, which determines if there is enough evidence for a person to be charged with a crime.

If a grand jury finds that there is enough evidence, an indictment is issued and the defendant is arrested. A pretrial services or probation officer of the court will immediately interview the defendant and conduct a background check.

The defendant then has an initial appearance. The judge advises the person of the charges filed, decides whether the person should remain in custody, and considers whether there is probable cause to believe that a crime has been committed and that the defendant is likely to have done it. The court appoints an attorney if a defendant cannot afford one.

The defendant will then enter a plea to the charges brought. In the

Southern District of Indiana, approximately 98% of criminal defendants plead guilty. Admittance of guilt can sometimes lead to a judge issuing a lesser sentence than if someone was convicted by a jury. A guilty plea also reduces court and attorney fees.

The criminal cases that appear in federal court tend to be serious. Bank robberies, kidnappings, major drug cases, and child pornography cases are heard frequently in the federal district courts.

A civil jury must be convinced by a preponderance of the evidence that the defendant is responsible for the harm the plaintiff has suffered.

Civil cases in federal court

Civil cases make up the bulk of a federal district judge's docket. Civil cases involve a legal dispute between two or more parties and begin with the plaintiff filing a complaint. The complaint describes the plaintiff's injury, how the defendant caused that injury, and asks the court to order relief. Relief may be requested in the form of money, or one may ask the court to order the defendant to

stop the conduct that is causing harm.

As the case proceeds through the legal system, both sides may conduct discovery, through which each side must provide the other with information about the case. Attorneys may take depositions of witnesses or other people involved in the case. Often the judge will encourage the parties to settle their difference through media-

tion, arbitration, or alternative dispute resolution.

If a civil case goes to trial, attorneys can choose to have a bench or jury trial. Witnesses may testify, a court reporter records the proceedings, and the judge (if it is a bench trial) or the jury must be convinced by "a preponderance of the evidence" that the defendant is responsible for the harm the plaintiff has suffered.

Federal v. state court jurisdiction



Federal Courts

- Crimes under statutes enacted by Congress
- Cases involving federal laws or regulations
- Matters involving interstate and international commerce
- Patent and copyright issues
- State law cases involving "diversity of citizenship"
- Bankruptcy matters
- Disputes between states
- Habeas corpus actions

State Courts

- Crimes under state legislation
- State constitution issues and cases involving state laws
- Landlord and tenant disputes
- Family law issues
- Real property issues
- Most private contract disputes
- Most personal injury lawsuits
- Probate and inheritance matters
- Most traffic violations

Federal or State Courts

- Crimes punishable under both federal or state law
- Federal constitutional issues
- Certain civil rights' claims
- Class action cases
- Environmental regulations
- Certain disputes involving federal law

How does someone become a federal judge?

Federal judges who are provided for in Article III of the Constitution are nominated by the President and must be confirmed by the Senate before receiving the judgeship. Article III judges include Supreme Court Justices, judges of the courts of appeals and district courts, and judges of the Court of International Trade.

There are no specific criteria that federal judges are required to meet; however, most tend to be very accomplished attorneys, state court,

magistrate, or bankruptcy judges, or law professors. Prospective judges fill out lengthy surveys and undergo background checks by the FBI. They also sit for confirmation hearings before the Senate Judiciary Committee.

Article III judges are appointed for life, providing they exhibit good behavior. They can be removed only via impeachment. Judges are expected to adhere to a code of conduct.

Bankruptcy and magis-

trate judges are not provided for in the Constitution, and therefore do not serve life terms and are not selected by the President and Senate. Instead, judges of the courts of appeals select bankruptcy judges, who serve 14 year terms. Judges of the district courts select magistrate judges, who serve 8 year terms.

All federal judges' salaries and benefits are determined by Congress. While the Constitution states that judges' salaries may not be decreased, there is

nothing that states that judges are entitled to regular pay increases. Judicial salaries are comparable to salaries earned by members of Congress.



How are juries selected in federal court?

In the Southern District of Indiana, potential jurors are randomly selected from voter registration lists. Those whose names are drawn receive, complete, and return a questionnaire. The court reviews the questionnaires to determine who qualifies for jury service. After review, the court randomly selects individuals to be summoned to appear for jury

duty.

There are two types of juries in the federal system, grand juries and trial, or petit, juries. If people are being summoned for a grand jury, which meets periodically to hear evidence and decide if there is enough evidence to charge someone with a crime, 16 to 23 individuals will be selected.

When a trial jury is

needed, the group of qualified jurors goes to the courtroom, where the judge and attorneys ask questions to determine possible bias amongst the jurors. If the case is a criminal case, at least 12 jurors will be selected, and some alternates may also be chosen. In a civil trial, the number of jurors may range from 6 to 12.

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Common legal terms

acquittal: Judgment that a criminal defendant has not been proven guilty beyond a reasonable doubt. In other words, a verdict of "not guilty."

appeal: A request made after a trial by a party that has lost on one or more issues that a higher court (appellate court) review the trial court's decision to determine if it was correct.

bench trial: Trial without a jury in which a judge decides which party prevails.

brief: A written statement submitted by each party in a case that explains why the court

should decide the case, or particular issues in a case, in that party's favor.

chambers: A judge's office, typically including work space for the judge's law clerks and secretary.

deposition: An oral statement made before an officer authorized by law to administer oaths. Such statements are often taken to examine potential witnesses, to obtain discovery, or to be used later in trial.

grand jury: A body of 16-23 citizens who listen to evidence of criminal allegations, which is

presented by the prosecutors, and determine whether there is probable cause to believe an individual committed an offense.

indictment: The formal charge issued by a grand jury stating that there is enough evidence that the defendant committed a crime to justify having a trial; it is used primarily for felonies.

magistrate judge: A judicial officer of a district court who conducts initial proceedings in criminal cases, decides criminal misdemeanor cases, conducts many pretrial civil and criminal matters on behalf of district judges, and decides civil cases with the consent of the parties.

petit jury: A group of citizens who hear the evidence presented by both sides at trial and determine the facts in dispute. Federal criminal juries consist of 12 persons. Federal civil juries consist of at least six persons.



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District of Indiana**

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[www.insd.uscourts.gov/
Education/Educ_main1.htm](http://www.insd.uscourts.gov/Education/Educ_main1.htm)

*Much of the information in this packet comes from
Understanding the Federal Courts,
an excellent publication developed by the
Administrative Office of the United States Courts.
It is available online at
www.uscourts.gov/understand03/index.html*

Frequently Asked Questions

**Q. How far in advance
should I book my field trip?**

A. While arrangements can be made on short notice, it is to your benefit to book at least one month in advance.

Q. Where are you located?

A. We are in downtown Indianapolis, on the north side of Ohio Street, between Meridian and Pennsylvania streets.

**Q. Where should our bus
drop us off and pick us up?**

A. Please have your bus pull up on the Pennsylvania street side of the building, and enter the courthouse at the corner of Pennsylvania and Ohio Street. There is a handicap entrance at the corner of Pennsylvania and New York.

**Q. Where should our bus
park?**

A. After dropping you off, buses should proceed to the Indianapolis Zoo, which is located a few miles west of the courthouse. There is ample bus parking available there. There is nowhere for buses to park around the courthouse.

**Q. How many students may
I bring?**

A. Please try to keep your group under 60. Special accommodations can be made for larger groups if at least one month's notice is provided.

**Q. Are cameras allowed in
the building?**

A. Generally speaking, no. If you would like to bring a camera, please check with Doria Lynch when booking your field trip so that she may ask the U. S. Marshals for permission.

**Q. What should we bring
with us?**

A. High school students and adults should bring a photo ID. Otherwise, bring as little as possible, as it will save time as everyone passes through security.

**Q. What are the security pro-
cedures?**

A. All individuals will pass through a metal detector and all bags and parcels will pass through an x-ray machine.

**Q. Where can I find out more
information about the hands-
on activities?**

A. Visit the court's education website at [www.insd.uscourts.gov/
Education/Educ_main1.htm](http://www.insd.uscourts.gov/Education/Educ_main1.htm) and click on Field Trip Opportunities. Follow the links for your grade level.

**Q. Can you guarantee that
my students will meet a
judge or watch a court pro-
ceeding?**

A. Unfortunately, no. In federal court, schedules can change with little or no notice. A scheduled trial may settle just before jury selection, or a judge may have to tend to an emergency motion. We make every effort to give students an inside look at the court, but circumstances occasionally intervene.

**Remember: visits to the
courthouse should be both
educational and enjoyable.
We look forward to seeing
you soon!**

